

REMARKS

Claims 1-11 are pending.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Rao in the October 7 personal interview. Applicants incorporate their separate record of the substance of the interview into the following remarks.

The Office Action rejects claims 1-11 under 35 U.S.C. §103(a) over JP 59171931 A to Matsui et al. (hereinafter "Matsui") in view of U.S. Patent 6,421,035 to Sheridan et al. (hereinafter "Sheridon"). The rejection is respectfully traversed.

As argued during the October 7 personal interview, neither Matsui nor Sheridan disclose, teach, or suggest a display device, "wherein the inner space is hermetically sealed up," as recited in claims 1-11. Matsui only discloses that the circumference of the glass cell is stuck by an epoxy adhesive agent in order to control the flocculation and deviation of the titanium oxide (English translation of Abstract). Thus, the cells of Matsui need only be stuck by an epoxy adhesive agent to the extent that the titanium oxide may not migrate between cells. Such a bond may be formed with epoxy that prevents the flocculation and deviation of the titanium oxide, without hermetically sealing the cell. As a result, Matsui does not disclose a display device, "wherein the inner space is hermetically sealed up," as recited in claims 1-11. Furthermore, Matsui does not address the specific problems that a hermetic seal is intended to prevent. Specifically, Matsui does not address the problems of temperature and humidity change within the cell that a hermetic seal would address.

During the October 7 personal interview, in response to the above argument, Examiner Rao asserted that he had relied on the Japanese language disclosure of Matsui as disclosing a hermetic seal. Examiner Rao stated that he would provide Applicants with a translation of the disclosure. Applicants have not received the translation. As, such Applicants have not been provided with a translation of the part of the reference allegedly

relied upon for the rejection in accordance with MPEP § 707.05 and are unable to respond accordingly (MPEP §§ 707.05 and 707.05(a); 37 C.F.R. § 1.104). Therefore, Applicants respectfully request that the rejection be withdrawn.

During the October 7 personal interview, Examiner Rao agreed that, if he was unable to provide an English translation of Matsui before the due date for response, that any subsequent action relying on the translation would not be final. Therefore, because translation of Matsui has not been provided, Applicants request that any subsequent office action be non-final.

Additionally, during the October 7 personal interview, Examiner Rao made the broad statement that hermetic seals are "well known in the art." However, Examiner Rao has not provided any art indicating that hermetic seals are well known in the art or any "factual findings predicated on sound technical and scientific reasoning" that "are capable of such instant and unquestionable demonstration as being well-known" (MPEP § 2144.03). Therefore, the evidence of record fails to adequately support the assertion that hermetic seals are well known in the art in accordance with MPEP § 2144.03.

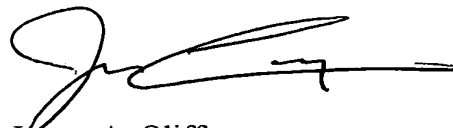
Finally, as argued during the October 7 personal interview, Sheridan does not make up for this deficiency of Matsui. In fact, Sheridan does not disclose "an inner space formed by the pair of substrates and the spacer," let alone that the inner space "is hermetically sealed up," as recited in claims 1-11. Rather, Sheridan only describes a single substrate in which sets of optically anisotropic balls are disposed for use in an electric twisting ball display.

Because neither Matsui nor Sheridan disclose, teach, or suggest a display device comprising "an inner space formed by the pair of substrates and the spacer, wherein the inner space is hermetically sealed up," as recited in claims 1-11, claims 1-11 are patentable over the combination of Matsui and Sheridan under 35 U.S.C. § 103(a). As a result, Applicants respectfully request that the rejection be withdrawn.

In view of the foregoing, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-11 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:JOC/tea

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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